

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 2529 of 2005

Between:

Sri Shirdi Sai Welfare Association, (Regd.No.2757/2004) 10-168/1,
Vasanthapuri Colony, Malkajgiri, Hyderabad Rep. by its Organising Secretary, V.
Srinivas s/o. Subramanyam, Aged about 32 Years,
occ: Employee, R/o. 10-168/1, Vasanthapuri, Malkajgiri, Hyderabad.

..... PETITIONER

AND

- 1 The Commissioner, Malkajgiri Municipality, Ranga Reddy District.
- 2 Mandal Revenue Officer, Malkajgiri Mandal, Malkajgiri, Ranga Reddy District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction, more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents in not taking any action to maintain the place earmarked for park in Vasanthapuri Colony in spite of the representation dated 21-12-2004 submitted by the Petitioner Association requesting to clear the dumping of garbage and using the place earmarked for the construction of Park as the public toilet by the surrounding public in the locality, as arbitrary illegal and in violation of principles of natural justice and to pass such other order or orders

Counsel for the Petitioner:MR.SESHADRI GOALLA

Counsel for the Respondents: S.C. for Municipality

The Court, at the stage of admission, made the following :

ORDER:

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Petitioner claims to be an association of local residents of Vasanthapuri Colony, Malkajgiri, Hyderabad. Its grievance is that a place earmarked for park in the locality is not being maintained properly, and as a result, unhygienic conditions are prevailing. It claims to have made a representation, dated 21.12.2004, to the 1st respondent for taking necessary steps. Petitioner complains that no action has been taken thereon.

Heard the learned counsel for the petitioner and the learned standing counsel for the 1st respondent.

Basically, it is the duty of the Municipality to maintain parks and to ensure that hygienic conditions prevail in the locality. Petitioner made a representation on 21.12.2004 to the 1st respondent alleging that unhygienic conditions prevailing in the locality are causing health problems, rendering the life of the local residents miserable. The 1st respondent ought to have taken necessary steps on such representation, particularly when the petitioner had come forward to extend its co-operation.

Hence, the writ petition is disposed of directing the 1st respondent to take necessary steps on the representation, dated 21.12.2004, made by the petitioner, and ensure that unhygienic conditions do not prevail in the locality. There shall be no order as to costs.

(L.NARASIMHA REDDY,J)

Date: 09-03-2005

Note: Office to issue c.c.

in two days.

(B/o.)

Ts

To

- 1 The Commissioner, Malkajgiri Municipality, Ranga Reddy District.
- 2 Mandal Revenue Officer, Malkajgiri Mandal, Malkajgiri, Ranga Reddy District.

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